

# **EXHIBIT 2**

Stuart G. Gross (SBN 251019)  
 Ross A. Middlemiss (SBN 323737)  
 Travis H.A. Smith (SBN 331305)  
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*Attorneys for Plaintiffs and the Proposed Classes*  
 [additional counsel listed on signature page]

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

**BRAND LITTLE and ROBIN BURNS,**  
 Individually and on Behalf of All Others Similarly  
 Situated,

Plaintiffs,

v.

**PACIFIC SEAFOOD PROCUREMENT, LLC;  
 PACIFIC SEAFOOD PROCESSING, LLC;  
 PACIFIC SEAFOOD FLEET, LLC; PACIFIC  
 SEAFOOD DISTRIBUTION, LLC; PACIFIC  
 SEAFOOD USA, LLC; DULCICH, INC.;  
 PACIFIC SEAFOOD – EUREKA, LLC;  
 PACIFIC SEAFOOD – CHARLESTON, LLC;  
 PACIFIC SEAFOOD – WARRENTON, LLC;  
 PACIFIC SEAFOOD – NEWPORT, LLC;  
 PACIFIC SEAFOOD – BROOKINGS, LLC;  
 PACIFIC SEAFOOD – WESTPORT, LLC;  
 PACIFIC SURIMI – NEWPORT LLC; BLUE  
 RIVER SEAFOOD, INC.; SAFE COAST  
 SEAFOODS, LLC; SAFE COAST SEAFOODS  
 WASHINGTON, LLC; OCEAN GOLD  
 SEAFOODS, INC.; NOR-CAL SEAFOOD,  
 INC.; KEVIN LEE; AMERICAN SEAFOOD  
 EXP, INC.; CALIFORNIA SHELLFISH  
 COMPANY, INC.; ROBERT BUGATTO  
 ENTERPRISES, INC.; ALASKA ICE  
 SEAFOODS, INC.; LONG FISHERIES, INC.;  
 CAITO FISHERIES, INC.; CAITO  
 FISHERIES, LLC; SOUTHWIND FOODS,  
 LLC; FISHERMEN’S CATCH, INC.;  
 GLOBAL QUALITY FOODS, INC.; GLOBAL  
 QUALITY SEAFOOD LLC; OCEAN KING**

Case No. 3:23-cv-01098-AGT

**STIPULATION AND  
 [PROPOSED] ORDER RE:  
 SUBPOENAED TELEPHONE  
 RECORDS**

Judge: Honorable Alex G. Tse

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**FISH INC.; BORNSTEIN SEAFOODS, INC.;  
ASTORIA PACIFIC SEAFOODS, LLC; DA  
YANG SEAFOOD INC.; GREAT OCEAN  
SEAFOOD INC.; and DOES 32-60,**

Defendants.

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1 WHEREAS, Plaintiffs Brand Little and Robin Burns (collectively, “Plaintiffs”) served  
2 subpoenas on AT&T and Verizon Wireless (the “Subpoenas”) that sought, *inter alia*, production  
3 of records concerning Nonparty Don Alber (“Alber”) and the phone number (206) 499-6988  
4 (collectively the “Alber Phone Records”);

5 WHEREAS, Alber has voiced certain concerns regarding the production of the Alber  
6 Phone Records;

7 WHEREAS, AT&T and Verizon Wireless have represented that the production of in  
8 response to the Subpoenas will only include logs of voice calls or text messages, disclosing date,  
9 time, duration, and to/from phone numbers, but will not include the content of any  
10 communications, such as texts, voicemails, call recordings, internet traffic information, or emails  
11 (collectively, “Communications Contents”);

12 WHEREAS, Alber has represented that he ceased to be affiliated with any fish buyer after  
13 March 1, 2020;

14 WHEREAS, in light of such representations and the parties’ desire to resolve the matter in  
15 way that amicably and efficiently addresses Alber’s concerns; and

16 WHEREAS, the undersigned counsel for Plaintiffs attests that he was authorized to sign  
17 this stipulation on behalf of counsel for Alber,

18 Plaintiffs and Alber hereby stipulate, subject to approval by the Court:

- 19 1. AT&T and Verizon Wireless shall not produce any Alber Phone Records for  
20 communications that occurred after March 1, 2020;
- 21 2. The Alber Phone Records produced by AT&T and Verizon to Plaintiffs shall not be  
22 disclosed to anyone other than Stuart Gross, Ross Middlemiss, Ian Atkinson-  
23 Young, Alber’s counsel, and Alber, for thirty (30) days after their production to  
24 Plaintiffs (the “Review Period”);
- 25 3. During the Review Period, Alber may redact information concerning  
26 communications with persons wholly unrelated to the crab industry.
- 27 4. In the event that Alber wishes to make any such redactions, he shall provide to  
28 Plaintiffs, prior to the expiration of the Review Period, a redacted version of the

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records (the “Redacted Alber Phone Records”), a categorical log of redactions that indicates the phone number(s) associated with all redacted entries, along with a generic description of the counterparty to such redactions (e.g. “415-867-5309, doctor”) and a statement under oath affirming the accuracy of the log;

5. In the event that Alber exercises his rights under the foregoing paragraph 4 within thirty days, Plaintiffs shall be barred from disclosing to any party or using for any purpose the unredacted version of the Alber Phone Records and shall produce to the defendants in this case only the Redacted Alber Phone Records, absent further order by this Court;
6. If Alber fails to exercise his rights under the foregoing paragraph 4 before the expiration of the Review Period, Plaintiffs may use the Alber Phone Records without restriction;
7. Irrespective of his decision to exercise or not exercise his rights under the foregoing paragraph 4, Alber is entitled to designate information in the Alber Phone Records and/or the Redacted Alber Phone Records either Confidential or Highly Confidential pursuant to the existing protective order, Dkt. No. 63;
8. Alber reserve any rights to seek attorneys’ fees and costs, as allowed by law, including any right to move for such attorneys’ fees and costs incurred in response to Plaintiffs subpoenas to AT&T and Verizon for his cell phone records;
9. And Plaintiffs reserves all rights, arguments, and defenses concerning any such request for attorneys’ fees or cost by Alber.

Dated: October 30, 2025

/s/ Stuart G. Gross

Stuart G. Gross (SBN 251019)

Travis H. A. Smith (SBN 331305)

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*Counsel for Plaintiffs and the Proposed Class*

Dated: October 29, 2025

/s/ Stephen Kent Rose

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*Counsel for Nonparty Don Alber*

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. Alex G. Tse  
United States Magistrate Judge